

**From:** Joshua W. Burton  
**To:** Microsoft ATR  
**Date:** 1/23/02 8:50am  
**Subject:** Microsoft Settlement

To: Renata B. Hesse  
Antitrust Division  
US Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

Dear Ms. Hesse:

I am writing to express my concern about the clear inadequacy of the proposed final judgment in the Microsoft case. As a software engineer and consultant, I would like to offer my customers the widest possible choice of compatible operating systems and file formats on which to run our tools, but the restrictive licensing of the Microsoft Platform SDK, whose EULA asserts:

"Distribution Terms. You may reproduce and distribute ... the Redistributable Components... provided that (a) you distribute the Redistributable Components only in conjunction with and as a part of your Application solely for use with a Microsoft Operating System Product..."

makes this impossible. Equally serious, the file format of Microsoft Word, with which our requirements management tool interoperates, is closed and proprietary, which prevents us from building a cross-platform integration with Word files for open-source operating systems even if the EULA permitted it.

There are many other necessary elements missing from the proposed final judgment: the summary at

<URL: <http://www.kegel.com/remedy/remedy2.html#isv.oss> >

is quite good. I urge you to immediately reconsider the settlement.

Very truly yours,  
Joshua W. Burton